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THE HAGUE FOR CWC DEL
STATE FOR AC/CB ROBERT MIKULAK

E.O. 12958: DECL: 04/13/2014

TAGS: [PREL](#) [PARM](#) [IT](#) [CWC](#)

SUBJECT: CWC: COORDINATING WITH ITALY ON RABTA CONVERSION

REF: A. SECSTATE 77352

[B](#). ROME 0735

[C](#). ROME 0777

Classified By: A/POLMINCOUNS GARY ROBBINS FOR REASONS 1.5 (B) AND (D)

[1](#). (C) Summary. Italy is concerned that using a technical change to the CWC to help Libya with its conversion request (as described ref A) could result in an overly lengthy process. Italian officials, after consulting with the OPCW Technical Secretariat, are recommending that an attempt be made to partition Rabta into three areas: a "clean" section that was never used for CW production, a "dirty" contaminated section, and a "grey" section that was only indirectly involved in CW activity. Italy believes such a division could allow Libya to move ahead with pharmaceutical production in the clean area while the grey section would be subject to a conversion request (the dirty section would be destroyed under the Italian plan). To assist Libya in moving forward with conversion of what Italy hopes would be a relatively small section of the Rabta facility, Italian officials suggest that a technical fix be applied to the CWC so that the imposed six-year time limit on submitting a conversion request would start from the date a country accedes to the Convention (instead of April 29, 1997, when the CWC entered into force). End summary.

Concerns about Timing

[2](#). (C) On April 8, Polmiloff and UK Embassy DCM Scott Wightman conveyed ref A points and non-paper to Giovanni Iannuzzi, head of Italy's CWC National Authority. General Tracci, an MoD CW expert assigned to Iannuzzi's office, participated in the tripartite meeting. Iannuzzi appreciated US/UK interest in consulting with Italy on Libya's conversion request for Rabta and efforts to develop a solution to the potential stumbling block described in ref A. He generally agreed with the arguments set down in the non-paper as to why options 1 and 3 were problematic. After exchanging views with OPCW Secretary General Pfirter on the margins of the March Executive Council meeting Iannuzzi had nevertheless concluded that option 2 alone did not necessarily represent the best way forward.

[3](#). (C) Italy, Iannuzzi said, was particularly concerned that a pure technical change to the CWC could result in a lengthy--perhaps years long--process before conversion could take place. Italy is worried that if Libya gets frustrated with delays in having a conversion request approved, it could abandon the prospect of transforming Rabta and decide to build another industrial pharmaceutical plant elsewhere that would not be subject to any international controls. Tracci, taking issue with the statement in our non-paper that the CWC "establishes an abbreviated procedure for making changes to the Annexes", cited the one precedent where a technical change to the Convention was applied--Canada's interest in producing Saxitoxin for the world market--as indicative of why Italy was concerned about timing. He argued that it took three years for CWC States Parties to approve Canada's request, despite the fact that there was, according to Tracci, no political opposition to what was fundamentally a "technical issue".

[4](#). (C) Iannuzzi acknowledged that the fix sought for Rabta could prove to be non-controversial, but Tracci said he would be surprised if at least one state didn't raise objections. Polmiloff suggested that this was the reason why the U.S. was committed to developing an effective diplomatic strategy to overcome any dissent to a technical change. Wightman weighed in to emphasize that working together at three (U.S.-UK-Italy) in consultation with Libya would be key to convincing CWC States Parties of the merits of whatever solution was finally agreed upon.

Another Way Forward?

[5](#). (C) Iannuzzi described what he considered a potential way

forward. He proposed working through the OPCW Technical Secretariat to partition as precisely as possible the "three

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sections of the Rabta facility". These he defined as the "clean part" which had never been used in the production of

chemical weapons or their precursors, the "dirty section" which had been used for those purposes, and the "grey area" which had been peripheral to actual production but not necessarily "clean". His hope was that a thorough analysis of Rabta could result in a partitioning of the clean area where pharmaceutical production could begin even before Libya's conversion request was approved. The request would apply to the grey area while the dirty section could simply be destroyed.

16. (C) Iannuzzi thought that after an effort to segregate the three sections was complete, a technical adjustment to the Convention would be appropriate. He suggested that the words "for it" (Note: referring to the acceding state) could be added to the end of Verification Annex, Part V, Article 72 so that the imposed six-year time limit on submitting a conversion request would start from the date a country accedes to the Convention. This would be an additional incentive for countries potentially interested in joining, such as Syria, to make the leap, Iannuzzi said. Polmiloff assured Iannuzzi that his views would be conveyed to Washington, but noted that the readout by U.S. officials of the situation at Rabta provided to Italy in February (ref B) raised questions as to how feasible a "partition plan" would be.

17. (C) Iannuzzi concluded by suggesting that the U.S., the UK, and Italy consult further on the way forward. He said Italy could agree on approaching other countries in general terms about the need for a positive attitude toward conversion, without at this point going into details about proposed workarounds to the Article 72 language. Italy will broach the matter again with its EU partners at the next Disarmament Working Group meeting (CODUN) slated for May 11. Iannuzzi indicated that he would be looking to the OPCW Technical Secretariat to provide an update on its analysis of Rabta, but clarified that he did not expect it to render an opinion on the merits of any particular approach to the conversion issue. Rather, he suggested that its views be taken into account because the Secretariat had the "pulse of the situation" at Rabta.

Training Offer

18. (C) Iannuzzi confirmed that Italy had invited Libya to send a delegation to the Italian chemical weapons destruction facility in Civitavecchia. Italy was hoping that a one day introduction to the facility and Italian private sector CW destruction capabilities could be held by the end of April, but was still waiting on a Libyan response.

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